

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

RECKITT BENCKISER LLC,

Plaintiff,

v.

AUROBINDO PHARMA LIMITED and
AUROBINDO PHARMA USA, INC.,

Defendants.

C.A. No. 1:14-cv-01203-LPS

~~PROPOSED~~ FINAL JUDGMENT ORDER

This matter having come before the Court on Defendants Aurobindo Pharma Limited and Aurobindo Pharma USA, LLC's Motion for Summary Judgment (D.I. 139), and the Court having conducted oral argument on the Motion on February 23, 2017, and the Court having found that Aurobindo is entitled to summary judgment of non-infringement,

IT IS HEREBY ORDERED AS FOLLOWS:

1. Final judgment of non-infringement is hereby ENTERED in favor of Aurobindo and against Plaintiff Reckitt Benckiser, LLC on Counts III-VI (Counts I and II having previously been dismissed) and on the corresponding Aurobindo's Second and Third Claims for Relief (the First and Fourth Claims for Relief having previously been dismissed);

2. Aurobindo's Second, Third, Fourth and Fifth Separate Defenses are dismissed without prejudice;
3. The Court's Order extending the 30-month stay (D.I. 166) is hereby VACATED, and the 30-month stay pursuant to 21 U.S.C. 355(j) is lifted. The U.S Food and Drug Administration may approve Aurobindo's ANDA No. 20-6941.

/s/ Pilar Gabrielle Kraman

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AUROBINDO PHARMA LIMITED AND
AUROBINDO PHARMA USA, INC.

SO ORDERED this 13th day of March, 2017.


UNITED STATES DISTRICT JUDGE